

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-35 remain pending in this application. Claims 1, 3, 4, 8, 10, 13, 14, 20, 27, 30 and 31 have been amended hereby to more clearly distinguish the present invention and to correct matters of form. No new matter has been entered. Support for the amendments to the independent claims can be found, for example, at page 8, lines 18-22, and Figure 1 of the present application.

For the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

In the Office Action, claim 4 was objected to and all of the claims were rejected under 35 U.S.C. §103(a) as being unpatentable over Arutyunov taken alone or in combination with Van Aken et al. These grounds of rejection are respectfully traversed for the following reasons.

The present invention is directed to systems and methods for ensuring that a router does not lock up by periodically polling the router from an end user's computer. As a by-product of the present invention, the end user is also able to monitor whether internet access is currently available or not.

As pointed out on page 2 of the Office Action, the original claims of the application did not necessarily expressly specify from what direction a polling request is sent. As such, the Examiner relied on Arutyunov, which discloses how periodic queries are sent to Customer

Premise Equipment (CPE) 18. Obviously, this direction of sending queries is completely opposite to that contemplated by the present invention.

To emphasize the direction in which requests are made to an Internet Protocol (IP) address via e.g., a PING command, each of the independent claims has been amended to recite limitations that clearly establish a direction in which the claimed request is sent. For example, amended claim 1 now recites sending, from a user computer, via the router, a request toward a backbone of a network to which a response is expected. Thus, it is clear that the user computer is a computer such as computer 30 as shown in Figure 1 of the present application (which is analogous to CPE 18 of Arutyunov). It is from this computer 30 that the claimed requests are sent.

In contrast, the CPE 18 of Arutyunov merely receives requests and never sends such periodic requests.

The other independent claims have been amended to emphasize this same feature of the present invention. As such, it is believed that the U.S.C. §103(a) rejection of the claims based on Arutyunov and Van Aken et al. should be reconsidered and withdrawn.

Finally, it is believed that the amendment to claim 4 addresses the concerns raised in the Office Action with respect to that claim.

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In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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Attachments:

LDE/dkp